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BUCKET NO.: JJPR-0013 (ORT-1296)

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of:

Zhong Zhong, Glen L. Kelley, Thomas J.

Confirmation No.: 2391

Mercolino, Robert Zivin, John J. Siekierka

Application No.: 09/663,306

Group Art Unit: 1653

Filing Date: September 15, 2000

Examiner: Karen C. Carlson

For: CELL BASED ASSAY

EXPRESS MAIL LABEL NO: EV 325638786 US
DATE OF DEPOSIT: September 10, 2003

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Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

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SEP 15 2003
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REPLY TRANSMITTAL LETTER

Transmitted herewith for filing in the above-identified patent application is:

- ☐ A Preliminary Amendment.
- ☒ An Amendment Responsive to the Office Action Dated March 11, 2003.
- ☐ An Amendment Supplemental to the Paper filed
- ☐ A Substitute Specification (pages 1 -) in clean form.
- ☐ A substitute specification (pages 1 -) with markings.
- ☐ An Abstract is enclosed.
- ☐ replacement sheets of drawings are enclosed comprising figures
- ☐ A Certified Copy of each of the following applications: is enclosed.

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- ☐ An Associate Power of Attorney is enclosed.
- ☐ Information Disclosure Statement.
- ☐ Attached Form 1449.
- ☐ A copy of each reference as listed on the attached Form PTO-1449 is enclosed herewith.
- ☐ A Terminal Disclaimer is attached.
- ☐ Appendices as follows:
- ☒ Other – Notice of Appeal from the Primary Examiner to the Board of Appeals Pursuant to 37 CFR § 1.192.
- ☐ No Additional Fee is Due.
- ☐ Applicant(s) has previously claimed small entity status under 37 CFR § 1.27.
- ☐ Applicant(s) by its/their undersigned attorney, claims small entity status under 37 CFR § 1.27 as
- ☐ This application is no longer entitled to small entity status. It is requested that this be noted in the files of the U.S. Patent and Trademark Office.

	REMAINING AFTER AMENDMENT	HIGHEST PAID FOR	EXTRA	SMALL ENTITY		NOT SMALL ENTITY	
				RATE	FEE	RATE	FEE
TOTAL CLAIMS	85	85 (20 MINIMUM)	0	\$9 EACH	\$0	\$18 EACH	\$0
INDEP. CLAIMS	37	37 (3 MINIMUM)	0	\$42 EACH	\$	\$84 EACH	\$0
FIRST PRESENTATION OF MULTIPLE DEPENDENT				\$140	\$0	\$280	\$0
<input type="checkbox"/> ONE MONTH EXTENSION OF TIME				\$55	\$0	\$110	\$0
<input type="checkbox"/> TWO MONTH EXTENSION OF TIME				\$205	\$0	\$410	\$
<input checked="" type="checkbox"/> THREE MONTH EXTENSION OF TIME				\$465	\$0	\$930	\$930.00
<input type="checkbox"/> FOUR MONTH EXTENSION OF TIME				\$725	\$0	\$1450	\$0
<input type="checkbox"/> FIVE MONTH EXTENSION OF TIME				\$985	\$0	\$1970	\$0
<input type="checkbox"/> LESS ANY EXTENSION FEE ALREADY PAID				minus	(\$0)	minus	(\$0)
<input type="checkbox"/> TERMINAL DISCLAIMER				\$55	\$0	\$110	\$0
<input checked="" type="checkbox"/> NOTICE OF APPEAL				\$160.00	\$0	\$320.00	\$320.00
TOTAL FEE DUE					\$0		\$1250.00



A DOCPHOENIX

INCOMING

____ ACPA _____
Continuing Prosecution Application

____ AP.B _____
Appeal Brief

____ C680 _____
Request for Corrected Notice/Allowance

____ C.AD _____
Change of Address

____ CFILE _____
Request for Corrected Filing Receipt

____ COCIN _____
Papers filed re Certificate of Corrections

____ CRFD _____
Computer Readable Form Defective

____ CRFE _____
Computer Readable Form 'ENTERED'

____ EABN _____
Request for Express Abandonment

____ ELC. _____
Response to Election/Restriction

____ IFEE _____
Issue Fee Transmittal PTOL 85 B

____ IRFND _____
Refund Request

____ L.RIN _____
Any Incoming to L&R

____ N417 _____
Copy of EFS Receipt Acknowledgement

____ N/AP _____
Notice of Appeal

____ PA.. _____
Change in Power of Attorney

____ PC/I _____
Power to Make Copies or to Inspect

____ PEF. _____
Pre-Exam Formalities Response

____ PEFREISS _____
Pre-Exam Formalities Reissue Response

____ PEFRSEQ _____
Pre-Exam Formalities Sequence Reply

INCOMING

____ LET. _____
Misc. Incoming Letter

____ IMIS _____
Miscellaneous Internal Document

____ PGEA _____
Req Express Aband to avoid Publication

____ PGA9 _____
Req for Corrected Pat App Publication

____ PGRF _____
Req for Refund of Publication Fee Paid

____ PROTEST _____
Protest Documents Filed by 3rd Party

____ PROTRANS _____
Translation of Provisional in Nonprovisional

____ REM _____
Applicant Remarks in Amendment

____ RESC _____
Rescind Non-Publication Request

____ RETMAIL. _____
Mailed Returned by Post Office

____ XT/I _____
Extension of Time filed separate

APPL PARTS

____ 371P _____
PCT Papers in a 371 Application

____ A... _____
Amendment Including Elections

____ A.NE _____
After Final Amendment

____ A.PE _____
Preliminary Amendment

____ ABST _____
Abstract

____ ADS _____
Application Data Sheet

____ AF/D _____
Affidavit or Exhibit Received

____ APPENDIX _____
Appendix

APPL PAR

____ ARTIF _____
Artifact

____ CLM _____
Claim

____ COMPUTE _____
Computer Program Listing

____ CRFL _____
CRF Transfer Request

____ CRFS _____
Computer Readable Form Statement

____ DIST _____
Terminal Disclaimer Filed

____ DRW _____
Drawings

____ FOR _____
Foreign Reference

____ FRPR _____
Foreign Priority Papers

____ IDS _____
IDS Including 1449

____ NPL _____
Non-Patent Literature

____ OATH _____
Oath or Declaration

____ PET. _____
Petition

____ PGPUB DRAWINGS _____
Box PG Pub Drawings

____ SEQLIST _____
Sequence Listing

____ SPEC _____
Specification

____ SPEC NO _____
Specification Not in English

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- ☒ A check in the amount of \$1250.00 is attached. Please charge any deficiency or credit any overpayment to Deposit Account No. 23-3050.
- ☐ Please charge Deposit Account No. 23-3050 in the amount of _____. This sheet is attached in duplicate.
- ☒ Petition is hereby made under 37 CFR § 1.136(a) (fees: 37 CFR § 1.17(a)(1)-(4)) to extend the time for response to the Office Action of April 11, 2003 to and through September 11, 2003 comprising an extension of the shortened statutory period of three (3) month(s).
- ☒ The Commissioner is hereby requested to grant an extension of time for the appropriate length of time, should one be necessary, in connection with this filing or any future filing submitted to the U.S. Patent and Trademark Office in the above-identified application during the pendency of this application. The Commissioner is further authorized to charge any fees related to any such extension of time to Deposit Account 23-3050. This sheet is provided in duplicate.

Date: September 10, 2003

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